

Translation

PATENT COOPERATION TREATY

PCT/EP2002/014444



# PCT

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 2002DE401	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/EP2002/014444	International filing date ( <i>day/month/year</i> ) 18 December 2002 (18.12.2002)	Priority date ( <i>day/month/year</i> ) 11 January 2002 (11.01.2002)
International Patent Classification (IPC) or national classification and IPC C11D 1/75		
Applicant CLARIANT GMBH		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 5 sheets, including this cover sheet.
- ☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of \_\_\_\_\_ sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 01 July 2003 (01.07.2003)	Date of completion of this report 20 February 2004 (20.02.2004)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International Application No.

PCT/EP2002/014444

## I. Basis of the report

### 1. With regard to the elements of the international application:\*

- ☐ the international application as originally filed
- ☒ the description:  
 pages \_\_\_\_\_ 1-8 \_\_\_\_\_, as originally filed  
 pages \_\_\_\_\_, filed with the demand  
 pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_
- ☒ the claims:  
 pages \_\_\_\_\_ 1-6 \_\_\_\_\_, as originally filed  
 pages \_\_\_\_\_, as amended (together with any statement under Article 19  
 pages \_\_\_\_\_, filed with the demand  
 pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_
- ☐ the drawings:  
 pages \_\_\_\_\_, as originally filed  
 pages \_\_\_\_\_, filed with the demand  
 pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_
- ☐ the sequence listing part of the description:  
 pages \_\_\_\_\_, as originally filed  
 pages \_\_\_\_\_, filed with the demand  
 pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_

### 2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language \_\_\_\_\_ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

### 3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

### 4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages \_\_\_\_\_
- ☐ the claims, Nos. \_\_\_\_\_
- ☐ the drawings, sheets/fig \_\_\_\_\_

### 5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).\*\*

\* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

\*\* Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

**V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement****1. Statement**

Novelty (N)	Claims	1-6	YES
	Claims		NO
Inventive step (IS)	Claims	1-6	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-6	YES
	Claims		NO

**2. Citations and explanations****1. Citations**

Reference is made to the following documents:

D1: US-A-5516459

D2: US-A-5922669

D3: Derwent WPI; AN: 1982-78206E (JP-A-57128797)

D4: US-A-5443651.

**2. Novelty**

Document D1, cited by the applicant, discloses a cleaner for aircraft surfaces, said cleaner containing amine oxide (see claim 1).

D2 describes a cleaning agent for hard surfaces, which is suitable, *inter alia*, for cleaning aircraft (see column 1, lines 15-37). Said cleaning agent contains amine oxide (see the examples; claims 1-6).

D3 discloses a cleaning agent for motor vehicles, said cleaning agent containing amine oxide and further additives (see the abstract).

/...

D4 describes a method for cleaning metal surfaces, using polyaspartic acid or salts thereof.

None of the cited documents discloses the use of a combination of amine oxide and polyaspartic acids for cleaning the outside of transport means. Thus, the subject matter of claim 1 appears to be novel (PCT Article 33(2)).

### 3. Inventive step

The problem to be solved is that of developing a cleaner for the surfaces of transport means, said cleaner having anti-corrosive properties in addition to its good dirt-removing properties. This problem is solved by the subject matter of claim 1.

Document D1, considered to be the closest prior art, discloses a cleaning agent for aircraft, said cleaning agent containing amine oxide and sodium nitrite as corrosion inhibitors (see column 2, lines 45-64; the examples; claim 1). The subject matter of claim 1 differs from D1 by virtue of the choice of corrosion inhibitor.

Polyaspartic acids are known to inhibit corrosion. For example, D4 describes a method for cleaning metals using polyaspartic acid or polyglutamic acid. The use of polyaspartic acid in combination with amine oxide is not obvious and the use of said acid in combination with amine oxide in agents for cleaning the surfaces of transport means is still less obvious.

/...

In consequence, the subject matter of claim 1 also appears to be inventive (PCT Article 33(3)).